

401 KAR 46:101. Definitions for 401 KAR Chapter 46.

RELATES TO: KRS 224.1, 224.10, 224.50, 224.70, 224.99, 16 U.S.C. 1531, 33 U.S.C. 1251, 42 U.S.C. 82, 40 C.F.R. 257.53

STATUTORY AUTHORITY: KRS 224.10-100, 224.50-760

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(28) authorizes the cabinet to promulgate administrative regulations not inconsistent with the provisions of law administered by the cabinet. KRS 224.50-760(1)(d) authorizes the cabinet to promulgate administrative regulations for the management of special wastes. This administrative regulation defines terms used in 401 KAR Chapter 46. Some federal terms have been replaced with the definitions established in KRS Chapter 224. Definitions contained in KRS Chapter 224 have been referenced to the appropriate statutory citation. Some terms do not have a federal counterpart and have been added to clarify requirements and provisions of KRS Chapter 224 and 401 KAR Chapter 46.

Section 1. Definitions. Except as provided in this section, the definitions shall be as established in 40 C.F.R 257.53. (1) "Cabinet" is defined by KRS 224.1-010(9).

(2) "Coal combustion residuals (CCR) permit-by-rule" or "CCR permit-by-rule" means the beneficial use of CCR, consistent with 401 KAR Chapter 46, without the submission of an application to the cabinet by a beneficial use of CCR user.

(3) "Coal combustion residuals registered permit-by-rule" or "CCR registered permit-by-rule" means authorization allowing the management, or disposal, upon notification as established in 401 KAR 46:120, Section 1(1)(c)1.

(4) "Disposal" is defined by KRS 224.1-010(10).

(5) "Person" is defined by KRS 224.1-010(17).

(6) "Secretary" is defined by KRS 224.1-010(24).

(7) "Solid waste" is defined by KRS 224.1-010(31)(a).

(8) "Solid waste management" is defined by KRS 224.1-010(39).

(9) "Special waste" is established by KRS 224.50-760(1)(a).

(10) "State" means the Commonwealth of Kentucky.

(11) "State director" means the "secretary" as defined by KRS 224.1-010(24).

(12) "User" means the person beneficially using CCR in the Commonwealth of Kentucky. (43 Ky.R. 850, 1413, 1558; eff. 5-5-2017.)